

Below is the Order of the Court.



A handwritten signature of Christopher M. Alston.

Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

In re:) No. 13-11547
YEVGENI OSTROVSKI,)
Debtor.) ORDER ON MOTION TO APPROVE SALE
) OF PROPERTY FREE AND CLEAR OF
) LIENS PURSUANT TO 11 U.S.C. § 363 (f)
)
)

THIS MATTER came on before the Honorable Christopher M. Alston of the above entitled Court upon the Trustee's Motion to Approve Sale of Property Free and Clear of Liens Pursuant to 11 U.S.C. § 363 (f). It appears that all interested parties have received notice and no objection to the motion has been filed, or said objection has been incorporated into the terms of this order. The Court acknowledges that the sale of the estate's property shall be closed simultaneously with the sale of the contiguous non-estate property located at 3440 97th Ave SE, Mercer Island, WA (APN 0724059012) to the same buyer pursuant to the Settlement Agreement.

Now therefore,

IT IS HEREBY ORDERED that the Trustee, Edmund J. Wood, is authorized to sell the

KATHRYN A. ELLIS, ESQ.
5506 6th Ave S
Suite 207
Seattle, WA 98108
(206) 682-5002

**ORDER ON MOTION TO APPROVE SALE OF PROPERTY
FREE AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. § 363 (f) - 1**

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1 estate's interest in the real property located at 3434 97th Ave SE, Mercer Island, WA (APN
2 0724059092) for the sum of \$758,489.00 to In Our Backyard LLC, and/or assigns.
3

4 IT IS FURTHER ORDERED that the Purchase and Sale Agreement between the Trustee
5 and In Our Backyard LLC, and/or assigns, shall be and is hereby approved.
6

7 IT IS FURTHER ORDERED that necessary costs of closing, including real estate
8 commissions, property taxes, excise taxes, statutory utility and/or HOA liens, and other closing
9 costs shall be and are hereby approved and may be paid from the proceeds of sale.
10

11 IT IS FURTHER ORDERED that at closing the first position sewerage lien of City of
12 Mercer Island, in the approximate amount of \$1,476.07, plus interest, shall be paid in full,
13 subject to verification of the amount due and the Trustee's review of any charges added to the
14 principal balance, including attorney fees and costs, if any, added to the balance due. The
15 Trustee's right to object to such charges under 11 U.S.C. § 506 is reserved.
16

17 IT IS FURTHER ORDERED that at closing the second position Deed of Trust of Shane
18 O'Connell *et al*¹, and/or assigns, in the approximate amount of \$233,486.06, plus interest, shall
19 be paid in full, subject to verification of the amount due and the Trustee's review of any charges
20 added to the principal balance, including attorney fees and costs, if any, added to the balance
21 due. The Trustee's right to object to such charges under 11 U.S.C. § 506 is reserved.
22

23 IT IS FURTHER ORDERED that at closing the third position judgment lien of State of
24 Washington, in the approximate amount of \$4,747.50, plus interest, shall be paid in full, subject
25 to verification of the amount due and the Trustee's review of any charges added to the principal
26 balance, including attorney fees and costs, if any, added to the balance due. The Trustee's right
27

28 ¹ Shane O'Connell, Lornty Capital LLC, Groll Profit Sharing, Shelly Helms and Mason Helms,
Shane O'Connell, Lornty Capital LLC, Groll Profit Sharing, Shelly Helms and Mason Helms,
Gary Schulze, and Dana Gribble and Joshua Gribble.

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**ORDER ON MOTION TO APPROVE SALE OF PROPERTY
FREE AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. § 363 (f) - 2**

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1 to object to such charges under 11 U.S.C. § 506 is reserved.

2 IT IS FURTHER ORDERED that at closing the fourth position sewerage lien of City of
3 Mercer Island, in the approximate amount of \$1,372.01, plus interest, shall be paid in full,
4 subject to verification of the amount due and the Trustee's review of any charges added to the
5 principal balance, including attorney fees and costs, if any, added to the balance due. The
6 Trustee's right to object to such charges under 11 U.S.C. § 506 is reserved.

7 IT IS FURTHER ORDERED that said sale will be free and clear of all liens and interests,
8 said liens and interests to attach to the proceeds of the sale.

9 IT IS FURTHER ORDERED that this Order shall be effective immediately
10 notwithstanding the provisions of FRBP 6004 (h).

11 //End of Order///

12 Presented by:

13
14 /s/ Kathryn A. Ellis
15 Kathryn A. Ellis, WSBA #14333
16 Attorney for Trustee
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ORDER ON MOTION TO APPROVE SALE OF PROPERTY
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